

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Citivic Nominees Ltd.,

Defendant.

Adv. Pro. No. 12-01513 (SMB)

**SO ORDERED STIPULATION EXTENDING  
THE TIME BY WHICH CITIVIC NOMINEES LTD.  
MUST FILE ITS EXTRATERRITORIALITY SUBMISSION**

WHEREAS Plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§78aaa *et seq.*, and the estate of Bernard L. Madoff, individually, commenced this Adversary Proceeding by filing a complaint against Citivic Nominees Ltd. (“Citivic” or “Defendant”) on April 12, 2012; and

WHEREAS, on December 10, 2014, the Court entered an Order Concerning Further Proceedings on Extraterritoriality Motion and Trustee’s Omnibus Motion for Leave to Replead and for Limited Discovery (the “Scheduling Order”), [08-01789, ECF No. 8800];

WHEREAS, Exhibits A and B were attached to the Scheduling Order and identifying the Extraterritoriality Defendants that contend counts brought under section 550(a) of the Bankruptcy Code should be dismissed based on the Extraterritoriality Order;

WHEREAS, Citivic was listed on Exhibit A;

WHEREAS, on December 31, 2014, pursuant to the Scheduling Order, Citivic submitted supplemental briefing on the Extraterritoriality Motion;

WHEREAS, on January 13, 2015, the Court entered a Stipulation and Order Modifying the Order Concerning Further Proceedings on Extraterritoriality Motion and Trustee's Omnibus Motion for Leave to Replead and for Limited Discovery [08-01789, ECF No. 8990];

WHEREAS, on February 24, 2015, the Court entered a Second Stipulation and Order Modifying the Order Concerning Further Proceedings on Extraterritoriality Motion and Trustee's Omnibus Motion for Leave to Replead and for Limited Discovery [08-01789, ECF No. 9350];

WHEREAS, the Trustee made his extraterritoriality submission in this action on June 29, 2015;

WHEREAS, on September 25, 2015, the Trustee filed a Motion For Leave to File an Amended Complaint adding Euroclear Bank S.A./N.V. as a Defendant in this proceeding (the "Trustee's Motion"), and which contemplates that the Trustee will dismiss Citivic as a defendant in this action upon service of Euroclear Bank S.A./N.V.;

WHEREAS, Citivic does not object to the Trustee's Motion;

WHEREAS, the original deadline to object to the Trustee's Motion was set for October 12, 2015 with a hearing scheduled for October 28, 2015;

WHEREAS, on September 28, 2015, the Court entered a So Ordered Stipulation Extending the Time by Which Citivic Nominees Ltd. Must File Its Extraterritoriality

Submission, extending the time by which Citivic Nominees Ltd. must file its “Five-Page Memorandum” to November 13, 2015;

WHEREAS, on October 8, 2015, the Court entered a So Ordered Stipulation Extending the Deadline to Object to Trustee’s Motion, extending the deadline to object to November 11, 2015 and adjourning the hearing until November 18, 2015;

WHEREAS, on October 8, 2015, Court entered a So Ordered Stipulation Extending the Time by Which Citivic Nominees Ltd. Must File Its Extraterritoriality Submission, extending the time by which Citivic Nominees Ltd. must file its “Five-Page Memorandum” to December 23, 2015;

WHEREAS, on November 12, 2015, the Court entered a So Ordered Stipulation Extending the Deadline to Object to Trustee’s Motion, extending the deadline to object to February 17, 2016, and adjourning the hearing until February 24, 2016;

WHEREAS, on November 13, 2015, the Court entered a So Ordered Stipulation Extending the Time By Which Citivic Nominees Ltd. Must File Its Extraterritoriality Submission to March 31, 2016;

WHEREAS, on December 16, 2015, the Court held a hearing on Defendants’ Motion to Dismiss Based on Extraterritoriality and Trustee’s Omnibus Motion for Leave to Replead;

WHEREAS, on February 16, 2016, the Court entered a So Ordered Stipulation Extending the Deadline to Object to Trustee’s Motion, extending the deadline to object to April 27, 2016, and adjourning the hearing until May 25, 2016;

WHEREAS, on February 17, 2016, the Court entered a So Ordered Stipulation Extending the Time By Which Citivic Nominees Ltd. Must File Its Extraterritoriality Submission to June 29, 2016;

WHEREAS, on April 22, 2016, the Court entered a So Ordered Stipulation Extending the Deadline to Object to Trustee's Motion, extending the deadline to object to September 19, 2016, and adjourning the hearing until October 26, 2016;

WHEREAS, on April 25, 2016, the Court entered a So Ordered Stipulation Extending the Time By Which Citivic Nominees Ltd. Must File Its Extraterritoriality Submission to November 30, 2016;

WHEREAS, on September 14, 2016, the Court entered a So Ordered Stipulation Extending the Deadline to Object to Trustee's Motion, extending the deadline to object to February 24, 2017, and adjourning the hearing until March 29, 2017;

WHEREAS, Paragraph 19 of the Scheduling Order provides, "This Order may be modified by the Court sua sponte or at the request of any party for good cause shown;"

NOW, THEREFORE, subject to the approval of the Court, it is hereby STIPULATED AND AGREED that Paragraph 8 of the Scheduling Order is hereby modified to extend the time by which Citivic must file its "Five-Page Memorandum" to April 28, 2017, to the extent that Citivic remains a party by that date.

Dated: September 19, 2016  
New York, New York

BAKER & HOSTETLER LLP

CLEARY GOTTlieb STEEN &  
HAMILTON LLP

By: /s/ Thomas L. Long  
David J. Sheehan  
dsheehan@bakerlaw.com  
Thomas L. Long  
Email: tlong@bakerlaw.com  
Catherine E. Woltering  
Email: cwoltering@bakerlaw.com  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard,  
Trustee for the Substantively  
Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment  
Securities LLC and the Estate of  
Bernard L. Madoff*

By: /s/ Carmine D. Boccuzzi, Jr.  
Carmine D. Boccuzzi, Jr.  
One Liberty Plaza  
New York, New York 10006  
Telephone: (212) 225-2000  
Facsimile: (212) 225-3999  
cboccuzzi@cgsh.com

*Attorneys for Defendant Citivic  
Nominees Ltd.*

SO ORDERED this 19<sup>th</sup> day of September, 2016.

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE